

**MALIN, HALEY & DiMAGGIO, P.A.**

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**TELECOPIER COVER SHEET**

**DATE:** OCTOBER 18, 2005

**OUR FILE NO:** 9215.4803

**TO:** UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR PATENTS

**ATTENTION:** EXAMINER CHRISTOPHER R. HARMON, ART UNIT 3721

**TELECOPIER NO:** 571-273-8300

**FROM:** DALE PAUL DiMAGGIO, ESQ.

**REGARDING:** LOOSE FILL PACKING MATERIAL AND  
APPARATUS FOR MANUFACTURING SAME

**TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 5**

[NOTE: IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED ABOVE, OR IF YOU HAVE ANY PROBLEMS WITH RECEIVING, PLEASE CALL OUR OFFICE AND ASK FOR DEDI]

**SPECIAL NOTE:**

AMENDMENT - ELECTION

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Serial Number: 10/710,446

File Number: 9215.4803


**CERTIFICATE OF TRANSMISSION**

I HEREBY CERTIFY that the following correspondence: *Patent Amendment Transmittal Letter and one (1) photocopy of the same; Amendment and Election* is being facsimile transmitted to examiner Christopher R. Harmon at the Patent and Trademark Office Fax No. (571) 273-8300, on this 18th day of October 2005.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please bill our Account

No. 13-1130.

  
Dedi L. Whitman, Paralegal

Date: October 18, 2005

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140215FORMS4803-AMEND-FAXING

In re Application of : Levine, Norman D.  
Serial No. : 10/710,446  
Filed : July 12, 2004  
For : **LOOSE FILL PACKING MATERIAL AND  
APPARATUS FOR MANUFACTURING SAME**

OCT 18 2005

Fax Amendment - No Fee  
COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL LETTER**

Sir:

- ☒ Transmitted herewith is an amendment in the above-identified application.
- ☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	* 48	MINUS	** 48	= 0	x\$25	\$ 0.00		x\$50	\$
INDEP	* 3	MINUS	*** 3	= 0	x\$100	\$ 0.00		x\$200	\$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					x\$150	\$ 0.00		X\$300	\$
					TOTAL ADDIT. FEE		\$0.00	OR	\$ 0.00

- ☐ Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- ☐ A Request for a \_\_\_\_\_ Extension of Time together with a check in the amount of \$ \_\_\_\_\_.00 for the fee is attached.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1130. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ If there are any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

MALIN, HALEY & DIMAGGIO, P.A.  
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(954) 763-3303

Respectfully submitted,

  
Dale Paul DiMaggio, Reg. No. 31,823

CLIENT NO. 22235

I:\9215\fm\4803.amendment transmittal

FORM PTO-1083

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Case Docket No. 9215.4803

In re Application of : Levine, Norman D.  
 Serial No. : 10/710,446  
 Filed : July 12, 2004  
 For : **LOOSE FILL PACKING MATERIAL AND  
 APPARATUS FOR MANUFACTURING SAME**

OCT 18 2005

Fax Amendment - No Fee  
 COMMISSIONER FOR PATENTS  
 Alexandria, VA 22313-1450

## AMENDMENT TRANSMITTAL LETTER

Sir:

- [X] Transmitted herewith is an amendment in the above-identified application.
- [X] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- [X] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PAID FOR	PRESENT EXTRA
TOTAL	* 48	MINUS	** 48	= 0
INDEP	* 3	MINUS	*** 3	= 0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

## SMALL ENTITY

RATE	ADDIT. FEE
x\$25	\$ 0.00
x\$100	\$ 0.00
x\$150	\$ 0.00

OTHER THAN A  
SMALL ENTITY

RATE	ADDIT. FEE
x\$50	\$
x\$200	\$ 0.00
X\$300	\$

TOTAL  
ADDIT. FEE

\$0.00

OR

\$ 0.00

- [ ] Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- [ ] A Request for a \_\_\_\_\_ Extension of Time together with a check in the amount of \$\_\_\_\_.00 for the fee is attached.
- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1130. A duplicate copy of this sheet is attached.
- [X] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- [ ] Any patent application processing fees under 37 CFR 1.17.
- [X] If there are any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

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Respectfully submitted,

  
 Dale Paul DiMaggio, Reg. No. 31,823

CLIENT NO. 22235

OCT 18 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 18, 2005

In re application of : Levine, Norman D.  
Serial No. : 10/710,446  
Filed : July 12, 2004  
For : **LOOSE FILL PACKING MATERIAL AND  
APPARATUS FOR MANUFACTURING SAME**  
Examiner : Harmon, Christopher R.  
Art Unit : 3721  
Our File No. : **9215.4803**

**AMENDMENT - ELECTION**


Fax Amendment - No Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Examiner Harmon:

In response to the Examiner's Restriction Requirement in the Office Action mailed October 6, 2005, Applicant makes a preliminary election to Group I, claims 1-44 and 48, for prosecution on the merits.

Any additional charges, including Extensions of Time, please bill our Deposit Account No. 13-1130.

Respectfully submitted,

  
Dale P. DiMaggio, Reg. No. 34,323  
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I:\9215\Amend\4803.election